

Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Weinert
Krueger	Willis

## Absent—Excused

Smith

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Weinert
Krueger	Willis

## Absent—Excused

Smith

## Senate Bill 139 on Second Reading

Senator Lane moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 139 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Weinert
Krueger	Willis

## Absent—Excused

Smith

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 139, A bill to be entitled "An Act amending the Act approving and adopting the Sabine River Compact, Chapter 63, Page 89, Acts of the Fifty-third Legislature, 1953, Regular Session, so as to amend Article VII (C) of the Sabine River Compact to change the term of office for the Texas members; amending Section 2 of said Act by establishing fees of office and terms of office; authorizing notice of this Act; repealing all laws in conflict herewith; containing a severability clause; and declaring an emergency."

The bill was read the second time.

Question—Shall S. B. No. 139 be passed to engrossment?

## Adjournment

On motion of Senator Hardeman the Senate at 11:53 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

## SEVENTEENTH DAY

(Thursday, February 9, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Baker
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Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Willis

Absent—Excused

Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Forgive us, our Father, if we are anxious and fretful for the material comforts of life. Give us faith to believe that if we seek Thee first, all these things shall be given to us. May all the work of this day, in offices, in committees, and on the floor of this Senate, be for Thy glory. We pray in Christ's name. Amen."

An motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Lane.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 26, Congratulating John Hampton Mattox on his one hundredth birthday.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 142, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 141, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 140, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation to whom was referred Senate Bill No. 144, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Senate Committee Substitute for S. B. No. 144 be passed and printed in lieu thereof.

PARKHOUSE, Chairman.

C. S. S. B. No. 144 was read the first time.

Senator Lane submitted the following reports:

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 178, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 22, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 184, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 64, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Senator Rogers submitted the following report:

Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred S. B. No. 187, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

#### Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senators Reagan and Gonzalez:

S. B. No. 194, A bill to be entitled "An Act authorizing a special education program for pre-school children who are severely orthopedically handicapped; providing for instructional units; requiring the Texas Education Agency to develop the program and establish certifications standards for teachers in such program; providing for financing; providing a severability clause; and declaring an emergency."

To the Committee on Finance.

By Senator Parkhouse:

S. B. No. 195, A bill to be entitled "An Act validating certain proceedings of home rule cities: amending their home rule charters; validating the election proceedings whereby officials of such city have taken office; validating certain acts of such governing body of such city; providing that the Act shall not be applicable where litigation is pending at the time of the effective date where such

litigation is ultimately determined against the validity of such amendment; providing a savings clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Crump:

S. B. No. 196, A bill to be entitled "An Act making it unlawful to move or to transport, or cause to be moved or transported into, through or across Texas, certain animals or products from areas under State or Federal Quarantine on account of Screwworm infestation or Fever Tick infestation without proper treatment and certification; providing a penalty; repealing all laws in conflict therewith; providing for severability; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Parkhouse:

S. B. No. 197, A bill to be entitled "An Act amending Chapter 43, Acts 1954, 53rd Legislature, First Called Session, as amended by Chapter 225, Acts 1957, 55th Legislature (Vernon's Ann. Civil Statutes Art. 1269j), by adding a new Section to make bonds issued for Airport purposes eligible as security for public funds and as investments for certain funds; enacting other matters related to the subject and declaring an emergency."

To the Committee on State Affairs.

By Senator Colson:

S. B. No. 198, A bill to be entitled "An Act providing that the remaining balance of the sum of money heretofore appropriated to the Department of Corrections in Item 98 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23, may be expended by the Department of Corrections for the purposes stated in Items 92 and 95 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23 in addition to the purposes stated in Item 98 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, Chapter 23, providing that no new money shall be appropriated by the provisions of this Act, providing that money already appropriated

to the Department of Corrections for the biennium ending August 31, 1961, can be used to continue the operations of the Department of Corrections and declaring an emergency."

To the Committee on Finance.

By Senator Schwartz:

S. B. No. 199, A bill to be entitled "An Act prohibiting any city, town or village, with certain exceptions, from annexing any territory which is located in a county other than the county in which such city, town or village is located; and declaring an emergency."

To the Committee on State Affairs.

By Senator Secrest:

S. B. No. 200, A bill to be entitled "An Act to amend Chapter 41, Acts of the Fortieth Legislature, First Called Session, which is codified as Rules 34a-55a of Article 4477, Vernon's Texas Civil Statutes and as Article 781a, Vernon's Texas Penal Code, by adding thereto new Sections to be known as Rules 56a and 57a, Article 4477, Vernon's Texas Civil Statutes, providing for the filing of a statistical report of each marriage, divorce, and annulment of marriage in this State with the State Registrar of Vital Statistics; providing fees for the county clerks and district clerks for filing such reports; providing the time this Act shall take effect; and providing this Act shall not affect any other law now in effect with respect to marriages, divorces, and annulments of marriage; and declaring an emergency."

To the Committee on State Affairs.

By Senator Smith:

S. B. No. 201, A bill to be entitled "An Act to amend Section 1 on Chapter 25 of the general laws of the 54th Legislature, Regular Session 1955, which is codified as Section 1 of Article 2815r-1 of Vernon's Texas Civil Statutes, so as to authorize the governing board of any junior college district or union junior college district to acquire land for buildings and other structures and for additions to existing buildings and other structures by eminent domain.

To the Committee on Education.

#### Senate Resolution 68

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the seventh and eighth grade History classes of Hutto Independent School, accompanied by their teacher Mr. Joddie Witte and Mrs. Kenneth Peterson; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teachers to the Members of the Senate.

#### Senate Resolution 69

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate St. Margaret Mary School and Sister Mary Laura; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students and Sister Mary Laura to the Members of the Senate.

#### Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,  
February 9, 1961.

To the Senate of the Fifty-seventh Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be District Attorney of the 25th Judicial District, to fill the unexpired term of Judge Paul C. Boethel, resigned: E. W. Patteson of Gonzales, Gonzales County.

Respectfully submitted,  
PRICE DANIEL,  
Governor of Texas.

#### Communication from the Legislative Audit Committee

The following communication received from the Legislative Audit Committee and was referred to the Committee on Nominations:

Austin, Texas,  
February 7, 1961.

To the Senate of the 57th Legislature of the State of Texas:

This is to certify that the Legislative Audit Committee, under the provisions of Senate Bill No. 27 as passed by the 48th Legislature, did on this day appoint C. H. Cavness as State Auditor of the State of Texas for the term expiring February 15, 1963.

It is respectfully requested that Senate confirmation be given this appointment.

#### LEGISLATIVE AUDIT COMMITTEE

RAMSEY  
Lieutenant Governor

TURMAN  
Speaker of the House of  
Representatives

ROBERTS  
Chairman of the Senate Finance  
Committee

LANE  
Chairman of the Senate Committee  
on State Affairs

COTTEN  
Chairman of the House  
Appropriations Committee

BALLMAN  
Chairman of the House Committee  
on Revenue and Taxation

#### House Concurrent Resolution 25 on Second Reading

The President laid before the Sen-

ate on its second reading the following resolution:

H. C. R. No. 25, In memory of I. D. Hoke, Sr.

The resolution was read.

On motion of Senator Colson and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

### Senate Resolution 73

Senator Rogers offered the following resolution:

Whereas, Lodge No. 1113, Benevolent Protective Order of Elks of Childress, Texas, is an organization dedicated, among other things, to the alleviation in every possible way of the sufferings of mankind and the proposition of sharing and lifting the load of their less fortunate fellows in this world; and

Whereas, Among the projects of Elks Lodge No. 1113 have been their annual efforts during the winter Holiday Season to make Christmas and its related holidays a period of greater joy and comfort to many unfortunates and underprivileged; and

Whereas, This spirit of love and brotherhood has displayed itself in the form of the Annual Elks Christmas Party for all underprivileged children of the Childress area, and other assistance to both old and young; and

Whereas, Elks Lodge No. 1113 has contributed handsomely to the Gonzales Warm Springs Foundation for Crippled Children, and many other worthy causes; now, therefore, be it

Resolved, By the Senate of the Fifty-seventh Legislature that we commend this organization for its living examples of brotherly love and understanding; and be it further

Resolved, That an enrolled copy of this Resolution be sent to the Childress Elks Lodge No. 1113 in recognition of its splendid record.

ROGERS

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Gonzales, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan,

Roberts, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Patman and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

### Senate Bill 110 on Second Reading

Senator Gonzalez moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 110 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 110, A bill to be entitled "An Act amending Article 7.05 of the Texas Business Corporation Act, Chapter 64, Acts, 1955, Fifty-fourth Legislature, by adding a new subsection (e), to Section A(1) thereof providing that a receiver may be appointed for the assets and business of a corporation when it is established in an action by a shareholder that the shareholders are deadlocked in voting power, and have failed for a period which includes at least two consecutive annual meeting dates, to elect successors to directors whose terms have expired or would have ex-

pired upon the election of their successors; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 110 on Third Reading

Senator Gonzalez moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 110 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 135 on Second Reading

Senator Schwartz moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 135 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Dies
Baker	Fuller
Calhoun	Gonzalez
Colson	Hardeman
Creighton	Hazlewood
Crump	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Moffett	Schwartz
Moore	Secrest
Owen	Smith
Parkhouse	Willis
Patman	

Present—Not Voting

Martin

Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 135, A bill to be entitled "An Act creating a Juvenile Board for Galveston County and designating the members thereof; etc.; and declaring an emergency."

The bill was read second time.

Senator Schwartz offered the following amendment to the bill:

Amend Senate Bill No. 135 by striking Section 1 thereof and substituting the following:

"Section 1. There is hereby established a County Juvenile Board in and for the County of Galveston, to be known as Galveston County Juvenile Board, which Board shall be composed of the County Judge, the Judge of County Court No. 2 of Galveston County, and the Judges of the several District Courts in and for Galveston County."

The amendment was adopted.

On motion of Senator Schwartz and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

#### Senate Bill 135 on Third Reading

Senator Schwartz moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

## Senate Bill 162 on Second Reading

Senator Schwartz moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 162 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Creighton
Baker	Crump
Calhoun	Dies
Colson	Fuller

Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Schwartz
Martin	Secrest
Moffett	Smith
Moore	Willis

## Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 162, A bill to be entitled "An Act amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, codified as Article 1970-342, Vernon's Texas Civil Statutes, by changing the name of the Probate Court of Galveston County; conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; providing the organization and procedure of said court; and declaring an emergency."

The bill was read second time.

Senator Schwartz offered the following amendment to the bill:

Amend Senate Bill No. 162 by striking the last sentence in Section 13 thereof and substituting in lieu thereof the following:

"Said Judge shall receive an annual salary of not less than the salary paid to the County Judge of Galveston County."

The amendment was adopted.

On motion of Senator Schwartz and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Senate Bill 162 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 162 be placed on its third reading and final passage.



The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

(Senator Martin in the Chair.)

## Senate Bill 18 on Second Reading

Senator Hardeman moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 18 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 18, A bill to be entitled "An Act to amend Sec. 9, Art. 5932 of RCS of Texas, 1925, codified as Sec. 9, Art. 5932, of Vernon's Ann. Civ. Statutes of Texas, providing that an instrument is payable to bearer when it is payable to the order of a fictitious or non-existing person or to a living person not intended to have any interest in it and such fact was known to the person making it so payable or was known to his employee or other agent who supplies or causes to be inserted the name of such payee; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 18 on Third Reading

Senator Hardeman moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 18 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson
Dies	Kazen

Krueger	Ratliff
Lane	Reagan
Martin	Roberts
Moffett	Rogers
Moore	Schwartz
Owen	Secrest
Parkhouse	Smith
Patman	Willis

Absent—Excused

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### Senate Resolution 74

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Fire Commissioner Jack White, Chief Phil Kessel, Captain Ted Voegel, Captain Roy Shanks, and Capt. Gene Adams; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the guests to the Members of the Senate.

#### Resolution Signed

The Presiding Officer announced the signing by the President Pro Tempore in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 24, Inviting His Excellency Ali Haider Zulaiman to address a Joint Session of the Legislature on February 14 A.D. 1961.

#### Senate Bill 12 on Second Reading

Senator Owen moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 12 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 12, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to select and convey to the County of El Paso, Texas, a tract of land not exceeding sixty-five acres upon the campus of Texas Western College, El Paso, Texas, as a stadium site, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 12 on Third Reading

Senator Owen moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hudson
Baker	Kazen
Calhoun	Krueger
Colson	Lane
Creighton	Martin
Crump	Moffett
Dies	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff
Herring	Reagan

Roberts	Secrest
Rogers	Smith
Schwartz	Willis

Absent—Excused

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

**Senate Bill 114 on Second Reading**

Senator Colson moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 114 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 114, A bill to be entitled "An Act providing for transfer of title to a certain tract of land in Houston County, Texas, now composing a part of the site of the Colored Girls Training School, from the State of Texas to the Crockett Independent School District; repealing conflicting laws; and declaring an emergency."

The bill was read second time.

Senator Colson offered the following amendment to the bill:

Amend S. B. No. 114 by striking out all the words lying between the end of the caption of the Bill and the beginning of the enacting clause.

The amendment was adopted.

On motion of Senator Colson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 114 on Third Reading**

Senator Colson moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 114 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Baker	Martin
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Smith

Nays—3

Calhoun	Willis
Roberts	

Absent

Fuller

## Absent—Excused

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Krueger
Baker	Lane
Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Parkhouse
Dies	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith

## Nays—3

Owen	Willis
Roberts	

## Absent

Fuller

## Absent—Excused

Weinert

## Senate Bill 173 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 173 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 173, A bill to be entitled "An Act to provide that in counties having a population of nine hundred thousand (900,000) or more, according to the last preceding Federal Census, in which a parental home and school for dependent and delinquent children shall have been established under the provisions of Article 5138a of the Revised Civil Statutes of Texas, the Commissioners Court may appoint a board of managers to manage and control said home and school; providing for the authority and duties of said managers, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 173 on Third Reading

Senator Parkhouse moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—80

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
February 9, 1961.

Hon. Ben Ramsey, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House  
has passed the following:

The House has granted the re-

quest of the Senate for the appointment of a conference committee on Senate Bill No. 15.

The House has appointed the following conferees: Messrs. Shannon, Cowen, Gladden, Lary and Green.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

House Concurrent Resolution 26  
on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 26, Congratulating John Hampton Mattox on his 100th birthday.

The resolution was read.

On motion of Senator Dies and by unanimous consent the resolution was considered immediately and was adopted.

## Adjournment

On motion of Senator Hardeman the Senate at 11:50 o'clock a.m. adjourned until 11:00 o'clock a.m. on Monday, February 13, 1961.

**In Memory of**  
**Mrs. William L. Clayton**

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Senator Baker offered the following resolution:

(Senate Resolution 70)

Whereas, On January 7, 1960, the City of Houston and the State of Texas lost an esteemed citizen and benefactor in the passing of Mrs. William L. Clayton; and

Whereas, Mrs. Clayton was born Susan Vaughan in Clinton, Kentucky, receiving her education at Marvin College, as a classmate of Alben Barkley, and later at Washington College in Washington; and

Whereas, She was the daughter of Senator Columbus Montgomery Vaughan of Kentucky and inherited her father's penchant for politics, actively fighting for the woman suffrage movement and serving as treasurer, in later years, of the Harris County Suffrage Association; and

Whereas, At the age of 18, she became engaged to Will Clayton, whom she met while on a visit to Tennessee, and they were married on August 14, 1902; and

Whereas, She was a militant supporter of President Franklin D. Roosevelt, and in 1936, in recognition of her work in his behalf, she was chosen Texas delegate-at-large to the Democratic National Convention; and

Whereas, Next to politics, her second great love was that of helping those who needed it: she provided decent housing for the people of the slum known as Schrimpf Alley, purchasing and donating land for the project subsequently named the Susan V. Clayton Homes; she and her husband gave to the city 184 acres of land along Halls Bayou for a new park; she found time to work as a director of the Houston Museum of Fine Arts, helping raise the money for the museum's present building; and while a resident of Washington, she spent many hours working for the Home for Incurables and the Children's Hospital there; and

Whereas, She was a member of and worker in the Methodist Church; and

Whereas, Despite these activities, she gave unstintingly of her time and love to her family and husband, at one time making the remark: "I'm a complete homebody. It's a struggle to pull myself away from my own four walls."; and

Whereas, Mrs. Clayton was beloved of her friends and associates, her grace and wit epitomizing the old South and her energies symbolic of the new South; now therefore, be it

Resolved, That the Senate of the Fifty-seventh Legislature of the State of Texas adjourns this day in memory of Mrs. William L. Clayton, and that copies of this resolution be sent to her husband, William L. Clayton of Houston, and to her four daughters—Mrs. St. John Garwood of Austin; Mrs. S. M. McAshen, Jr. and Mrs. J. M. Johnson of Houston; and Mrs. Ben M. Baker, Jr., of Baltimore.

**BAKER**  
**MOFFETT**

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of  
**H. C. Vandervoort, Sr.**

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Senator Willis offered the following resolution:

(Senate Resolution 71)

Whereas, In the passing of H. C. Vandervoort, Sr. of Tarrant County, the people of Texas lost a beloved citizen and most distinguished man; and

Whereas, Mr. Vandervoort exemplified the classic American tradition of rugged individualism in that through application of his innate honesty and courage he worked his way through successive steps to become the President of one of Texas' largest industries; and

Whereas, Space is inadequate to record fully the contributions of this great man to Tarrant County and to Texas. He was loved by men from all stations of life. It was through his kind and considerate understanding of his fellowman that brought to him the many tributes and successes which made him a leader in the fields in which he endeavored; and

Whereas, Mr. Vandervoort was a good man. He was a devoted husband and father, friend of newsboys and Governors alike, loved and was loved in return by all those with whom he came in contact; now, therefore, be it

Resolved, That a page be set aside in the Senate Journal as a memorial to H. C. Vandervoort, Sr.; that copies of this resolution be sent to his family with the deep regard of the Texas Senate; and that when the Texas Senate adjourns today it do so in honor and memory of this great man.

The resolution was read and was adopted by a rising vote of the Senate.

**In Memory of**  
**F. Dudley Perkins**

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Senator Roberts offered the following resolution:

(Senate Resolution 72)

Whereas, On December 31, 1960, the city of McKinney and the State of Texas lost a distinguished citizen in the passing of F. Dudley Perkins; and

Whereas, He was born in McKinney on August 1, 1875, and was the son of Frank and Florence Heard Perkins. In 1903, he married Daisy Astin. She passed away in 1955; and

Whereas, Mr. Perkins was a prominent civic leader. His business interests included farming, livestock and real estate. He was president of the Perkins Investment Company; and

Whereas, He was a Senior Warden and vestryman of Saint Peter's Episcopal Church. He was a director of the Texas Textile Mills, the Burrus Mills, the Collin County National Bank, and the McKinney Compress Company; and

Whereas, Mr. Perkins was a dedicated Aggie supporter. He served as President of the A. and M. Ex-students Association and Collin County A. and M. Club. He will be long remembered for having been the captain of A. and M. College's first football team; and

Whereof, He was a former president of the East Texas Chamber of Commerce and McKinney Rotary Club and McKinney Chamber of Commerce; and

Whereas, He is survived by one son, John Astin Perkins; one daughter, Mrs. Florence Perkins Higgs; two grandchildren and five great-grandchildren; and

Whereas, The Senate of the State of Texas wishes to pay tribute to the useful and wonderful life of this esteemed Texan; now, therefore, be it

Resolved, That the Senate of the State of Texas of the Fifty-seventh Legislature adjourns this day in memory of F. Dudley Perkins, that a page in the Senate Journal be set aside in respect to his courage and faith, and that a copy of this resolution be sent to his family with our deep personal regard.

The resolution was read and was adopted by a rising vote of the Senate.